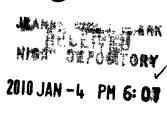
Office of the Yavapai County Attorney 255 E. Gurley Street, Suite 300 Prescott, AZ 86301 Phone: (928) 771-3344 Facsimile: (928) 771-3110 YAVAPAI COUNTY ATTORNEY'S OFFICE JOSEPH C. BUTNER SBN 005229 DEPUTY COUNTY ATTORNEY 255 East Gurley Street Prescott, AZ 86301 Telephone: 928-771-3344 ycao@co.yavapai.az.us





DEPUTY CLERK

IN THE SUPERIOR COURT OF STATE OF ARIZONA IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,	Cause No. P1300CR20081339
Plaintiff,	Division 6
v. STEVEN CARROLL DEMOCKER,	STATE'S RESPONSE TO DEFENDANT'S MOTION IN LIMINE RE: DNA-RELATED TESTIMONY
Defendant.	

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy undersigned, hereby submits its Response to Defendant's Motion *in Limine* re: DNA-Related Testimony and requests that the Motion be denied, specifically Defendant's request to include these issues in the hearings scheduled the week of January 12, 2010. To date, none of the State's DNA experts has been interviewed by the defense team, therefore, all objections regarding their anticipated testimonies are based solely upon conjecture and supposition and are exceedingly premature.

More importantly, any attempt to limit the scope of the testimony by excluding the use of words and phases such as "inconclusive," "could not eliminate," and "could not exclude" where those words and phases are either are part of the scientific findings or are synonymous with the findings is ludicrous. The State's witnesses will give accurate and complete testimony

1	regarding the testing methodology, the results, and the scientific conclusions drawn from those
2	results.
3	Again, Defendant's Motion is premature and should not be heard during the week of
4	January 12 through 15, 2010.
5	RESPECTFULLY SUBMITTED this / January, 2010.
6	'
7	Sheila Sullivan Polk
8	YAVAPAI COUNTY ATTORNEY
9	Jan My /
10	By:
11	Deputy County Attorney
12	
13	COPIES of the foregoing delivered this day of January, 2010 to:
14	
15	Honorable Thomas J. Lindberg Division 6
16	Yavapai County Superior Court (via email)
17	John Sears
18	107 North Cortez Street, Suite 104
19	Prescott, AZ 86301 Attorney for Defendant
20	(via email)
21	Larry Hammond Anne Chapman
22	Osborn Maledon, P.A.
23	2929 North Central Ave, 21 st Floor Phoenix, AZ
24	Attorney for Defendant (via email)
25	
26	